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REMARKS

The Examiner has objected to the specification due to informalities. Applicant respectfully asserts that Table 7 and Table 10 are not missing. Table 7 spans page 28, lines 1-11 and Table 10 spans page 33, lines 10-15.

The Examiner has rejected Claims 1-6 and 8-18 under 35 U.S.C. 103(a) as being unpatentable over Valco et al. (U.S. Patent No. 6,826,264) in view of Ito et al. (U.S. Patent Application No. 09/839,309). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to each of the independent claims.

With respect to independent Claims 1, and 15-18, applicant has substantially included the subject matter of dependent Claims 5, 6 and 8 (the subject matter of Claims 5 and 6 were already substantially included in Claim 18) along with the following claim language to distinguish the prior art:

"wherein the script includes customizable forms and fields."

With respect to dependent Claim 8, presently incorporated in each of the independent claims, the Examiner has relied on the following excerpt from Valco to meet applicant's claimed "wherein the code includes a command for identifying specific instructions relating to the transitioning."

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"By providing the flat interface of the present invention, new
settings can be added to a list of settings and can be used
immediately without special user training.  The user simply
processes 0 to access the Settings Area and then either waits or
jumps to the new setting.  Thus, the menu structure need not be
redesigned whenever a new setting is added." (Col. 4, lines 30-
35)
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Applicant respectfully asserts that the above excerpt from Valco simply teaches adding a new setting such that a user can access the new setting from the Settings Area.

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This in no way meets applicant's claim language since applicant claims "code [that] includes a <u>command for identifying specific instructions relating to the transitioning</u>." Furthermore, applicant argues that the "transitioning," as claimed by applicant, is associated with "transitioning to the state other than the previous state in response to the request if the code exists" (see Claim 6, presently incorporated in each of the independent claims). Valco's "jumps to the new setting," as cited above, simply does not meet applicant's "code [that] includes a command for identifying specific instructions relating to the transitioning" wherein the transitioning is in the context of "transitioning to the state other than the previous state in response to the request if the code exists."

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir.1991).

Applicant respectfully asserts that at least the third element of the *prima facie* case of obviousness has not been met, since the prior art references, when combined, fail to teach or suggest all of the claim limitations, as noted above. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has included the following claim language in each of the independent claims: "wherein the script includes customizable forms and fields." Applicant asserts that such claim language further distinguishes the prior art since Valco and Ito both relate to voice systems, whereby voice input via a telephone system is utilized, and not customizable forms and fields, as presently claimed by applicant.

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Again, a notice of allowance or a specific prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

The Examiner's rejections are also deficient with respect to the dependent claims. For example, with respect to dependent Claim 13, the Examiner has relied on the following excerpts from Valco to meet applicant's claimed technique "wherein the information identifies an application" (Claim 13).

> "Greeting Form" (Figure 2)
>
> "...selecting/creating a greeting..." (Col. 4, line 66)

Applicant respectfully asserts that Valco's greeting (Fig. 2 and Col. 4, line 66) does not relate to an application in the context of applicant's claim language. Specifically, applicant claims "information [that] identifies an application" wherein the information is in regards to "each state of the script" (see Claim 9, from which Claim 13 depend). Thus, Valco's greeting does not meet applicant's claim language when taken in context, since the greeting is not a "state of the script" as is the "application" claimed by applicant.

Since at least the third element of the *prima facie* case of obviousness has not been met, a notice of allowance or a specific prior art showing of all of the claim limitations, in the context of the remaining elements, is respectfully requested.

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims 19-24 below, which are added for full consideration:

> "wherein the request includes a voice request that is associated with a preset grammar" (see Claim 19);

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"wherein the transitioning to the previous state may be disabled according to at least one of an entire application, a document, a form and a field" (see Claim 20);

"wherein an alert is sent to the user when the previous state is disabled" (see Claim 21);

"wherein transitioning to the previous state retracts an input the user originally entered at the previous state" (see Claim 22);

"wherein the user is prompted for new input at the previous state after transitioning to the previous state" (see Claim 23); and

"wherein a number of previous states a user may transition to is customizable" (see Claim 24).

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. BVOCP025).

Respectfully submitted,
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